

Serial No. 09/855,839

REMARKS**STATUS OF THE CLAIMS**

Claims 2-4, 6, 8-18, 21, and 23-26 are pending in the application.

Claims 4, 8-15, 21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit et al. (US 5,825,862) in view of Casellini (US 6,404,860).

Claims 2, 3, 6, 16, 23, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit in view of Casellini as applied to claim 4, and further in view of Palmer et al. (US 2001/0038690).

Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit in view of Casellini as applied to claim 4, and further in view of Kauffman et al. (US 5,003,591).

According to the foregoing, the claims are amended, and, thus, pending claims remain pending for reconsideration, which is respectfully requested.

No new matter has been added.

REJECTIONS

The following claim amendments and remarks are respectfully submitted. Entry and consideration of the claim amendments is respectfully requested, because it is believed the claim amendments clarify the patentably distinguishing features of the present invention to overcome Casellini, as discussed in a telephonic interview with the Examiner on April 25, 2006. It is believed the claims as amended are now in condition for allowance.

The Advisory Action mailed April 10, 2006 provides the claimed phrase "taking the held call" in the claim expression "taking the held call directly at the entertainment system call manager" could be interpretable as the call being terminated at entertainment system call manager 24, thus allegedly being similar to Casellini's notification of a phone call sent to the subscriber's computer 316 to which the subscriber can respond with a text message. See, for example, Casellini, column 4, line 29 to column 5, line 24.

However, as also emphasized in the First Response After Final Rejection of March 28, 2006, in contrast to Casellini, the independent claims 4, 9, 21 and 26 are amended to clarify that according to the claimed present invention the held call is answerable directly at the

Serial No. 09/855,839

entertainment system call manager 24 using a telephone function 43 of the entertainment system call manager 24. More particularly, the entertainment system call manager 24's telephone function 43 of dependent claim 25 is incorporated in the independent claims 4, 9, 21 and 26. For example, the present Application paragraphs 30, 41-43 and FIG. 4 support the claim amendments.

In rejecting independent claims 4, 9, 21, and 26, the final Office Action page 4 provides "**Voit fails**" to disclose the claimed present invention's **"taking the held call directly at the entertainment system call manager ..."** so Caellini is relied upon to meet this limitation. However, Casellini's actual handling of a telephone call is executed at the telephony network as shown in FIG. 3, because the Casellini's memory 302 applications 304, 305, 306, 307, 308, 309, 317, 310 and 311 communicate with the subscriber computer via the Internet or other network 315. In other words, Casellini's voice mail application 309, call forwarding 308, and text to speech application 317 are at the telephony network (see FIG. 3 and column 3, lines 32-36 in which the mass storage voice mail 302 and memory 303 storing applications is in communication with the subscriber's premise via the communication interface 320), so Casellini does not actually execute handling of a telephone call, such as answering the telephone call or directing the telephone call to a subscriber voice mail, at the subscriber's premise.

Casellini fails to disclose or suggest to one skilled in the art to modify Voit or be modified, to provide the claimed present invention, because Casellini discusses initially directing a telephone call to a telephone or other communications device associated with the called number. Only when the called number is busy or not answered, the telephone call is redirected to the call management system at the telephony network, which sends a notification of the phone call to the subscriber's computer 316 to which the subscriber can respond with a text message. See, for example, Casellini, column 3, lines 64+ and column 4, line 29 to column 5, line 24. But Casellini fails to disclose or suggest to one skilled in the art to modify Voit or be modified, such that, for example, a phone call is answerable at Casellini subscriber's computer 316 or sending the held call by the entertainment system call manager to a user voice mail at the user's premise, or both. In other words, Casellini fails to disclose or suggest to one skilled in the art, the claimed present invention's **"presenting by the call manager a selectable call handling option** chosen from a group comprising one or more of take the call, send the call to voice mail, forward the call to another number, play a message, ignore the call, and reject the

Serial No. 09/855,839

call, in response to the held call signal *through the entertainment system during the program play* ... and *taking the held call directly at the entertainment system call manager by answering the held call using a telephone function of the entertainment system call manager*, or *sending the held call by the entertainment system call manager to a user voice mail at the user's premise, or both*, according to the *held call handling option selected by the user.*"

Further, the dependent claims are patentably distinguishing over the relied upon references, because they recite patentably distinguishing features of their own, or at least are patentably distinguishing due to their dependencies from the independent claims. In particular, as also emphasized in the First Response After Final Rejection of March 28, 2006, Palmer fails to disclose or suggest to one skilled in the art the claimed present invention as recited in dependent claims 23 and 24.

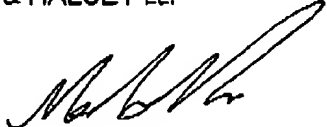
In view of the claim amendments and remarks, withdrawal of the rejection of pending claims and allowance of pending claims is respectfully requested.

CONCLUSION

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
STAAS & HALSEY LLP

Date: April 27, 2006

By: 
Mehdi D. Sheikerz
Registration No. 41,307

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450
on April 27, 2006
STAAS & HALSEY
By: Mehdi Sheikerz
Date: April 27, 2006